

WALTER P. MITCHELL.

APRIL 25, 1904.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. MIERS, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 12052.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12052) granting a pension to Walter P. Mitchell, submit the following report:

This bill proposes to pension the beneficiary named therein at \$20 per month.

The soldier named in this bill, and now 75 years of age, served as a corporal in Captain Thatcher's independent company, Pettis County Missouri Home Guards, from June 6, 1861, to August 15, 1861, and was recognized by the Hawkins-Taylor Commission as having rendered one month and fifteen days' actual service to the United States.

He subsequently rendered service in Company C of the Fortieth Enrolled Missouri Militia, a State organization, for eighty days between July 28 and November 4, 1862.

His claim to pension under the act of June 27, 1890, was rejected in 1892 upon the ground that he did not serve the required ninety days; and a claim under the general law, filed in 1896 and based upon chronic diarrhea, constipation and resulting diseases of digestive organs and rectum, catarrh, and rheumatism, was rejected in November, 1898, upon the ground of no record and claimant's inability, aided by a special examination, to furnish satisfactory evidence showing the origin of said disabilities in the service or their continuance since discharge.

This action was in accordance with law.

When last examined, on April 1, 1896, the board of surgeons rated him \$6 for disease of rectum, \$2 for indigestion, \$2 for catarrh, and \$3 for rheumatism.

Medical and other testimony filed with your committee shows that the soldier is now suffering from rheumatism, piles, nervousness, slight paralysis of the lower limbs, and almost total deafness; that he is totally

disabled for manual labor and entirely dependent upon the charity of his children for a support.

In view of the soldier's great age, utter destitution, and helplessness from paralysis and other causes, your committee believe that the requirements of the act of June 27, 1890, relative to length of service may well be waived in the case and that relief should be granted to the soldier at the maximum rating provided for in said act, namely, \$12 per month.

The passage of the bill is therefore recommended when amended as follows:

In line 9 remove the parentheses.

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

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